

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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**GLENN OLEKSAK,**

**Plaintiff,**

**v.**

**Case No. 19-CV-1167**

**GATEWAY TECHNICAL COLLEGE,**

**Defendant.**

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**ORDER**

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On November 26, 2019, the court granted Gateway's motion to dismiss (ECF No. 14) as to his federal law claim. (ECF No. 19.) However, the court deferred ruling on Gateway's motion to dismiss Oleksak's state law claim. (*Id.*) The court gave Oleksak 14 days after the date of the order to file an amended complaint, making the deadline December 10, 2019. (*Id.*)

Given the nature of Oleksak's state law claim and the questions raised in Gateway's motion to dismiss that claim, it appears prudent for the court to decline to exercise supplemental jurisdiction. Because Oleksak did not file an amended complaint by the deadline, the court orders that the case be remanded for the state court to consider the pending motion to dismiss Oleksak's state law claim.

**SO ORDERED.**

Dated at Milwaukee, Wisconsin this 13th day of December, 2019.

William E. Duffin  
WILLIAM E. DUFFIN  
U.S. Magistrate Judge